

February 26, 1976

SENATOR CLARK: Do you have anyother amendments on it, Vince?

PRESIDENT: No.

SENATOR CLARK: What this bill does is allows the State Treasurer, with the advice of the Tax Commissioner, to set the refund fund. Now what has happened in the past, the Tax Commissioner has arbitrarily put money in that he thought was there that he needed but with no advice at all and no recourse to the State Treasurer.

What this really does is put a fiscal responsibility on the State Treasurer, someone that knows what the money is and where it is going to go. It gives him the advice, in the first place, to know that the money is there, that the money is needed and the money will be put into that fund. The reason we have the advice of the Tax Commissioner is because he is going to tell the State Treasurer how much money he'll need. The State Treasurer, at that time, will transfer the money if he has the money. If he doesn't have the money it goes back to an arbitration. That's all the bill does is to have a line of authority for the State Treasurer to put the money in as the money is there for this tax refund fund.

I'd move for the advancement of the bill.

PRESIDENT: The question is shall the bill be advanced. Record your vote. Have you all voted? Record.

CLERK: 27 ayes, 0 nays on motion to advance.

PRESIDENT: The bill is advanced. LB 869.

CLERK: Read title to LB 869. There are no committee amendments or other amendments pending.

PRESIDENT: Senator Clark.

SENATOR CLARK: What this bill does is really legalize something that's been happening for years. It was an oversight when it was transferred from the D.P.I. to Corrections. The cash fund has always been there, but this merely legalizes the cash fund. That's really all the bill does.

I'd move for the advancement of that bill. It has no bearing on appropriations or anything else.

PRESIDENT: Senator Keyes.

SENATOR KEYES: Mr. Speaker, I'd like to ask Senator Clark a question. Senator Clark, where does the cash fund come from? I mean we just got through taking a cash fund and putting it in the General Fund, now we're setting the cash fund up. Surely there must be some relevancy between the two.